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PTO/SB/01 (12-97)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 C.F.R. 1.16(e)) required)

Attorney Docket Number	EX00-015
First Named Inventor	Buchman et al.
COMPLETE IF KNOWN	
Application Number	09 / 524,101
Filing Date	13 March 2000
Group Art Unit	1646
Examiner Name	

As a below named inventor, I hereby declare that: My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (it only one name is listed below) or an original, first and joint inventor (it plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention

Insect p53 Tumor Suppressor Genes and Proteins

the specification of which ☐ is attached hereto (Title of the Invention)

OR ☒ was filed on (MM/DD/YYYY) 03/13/00 as United States Application Number or PCT International

Application Number 09/524,101 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/184,373	23 February 2000	

[Page 1 of 2]

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DECLARATION Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/268,969	16 March 1999	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 23500

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar Code
Label here

Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label

23500

OR ☐ Correspondence address below

Name					
Address					
Address					
City		State		ZIP	
Country		Telephone		Fax	

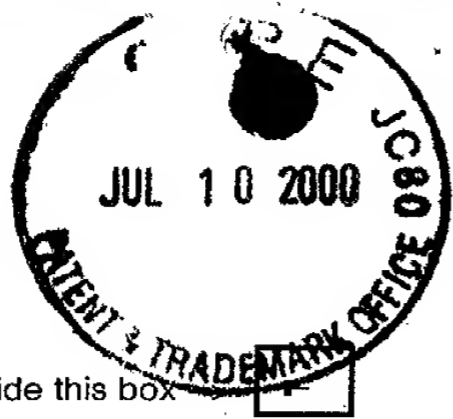
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])		Family Name or Surname					
Andrew Roy		Buchman					
Inventors Signature			Date	4/19/00			
Residence: City	Berkeley	State	CA	Country	US	Citizenship	US
Post Office Address	3119 Epton Avenue						
Post Office Address							
City	Berkeley	State	CA	ZIP	94705	Country	US

☒ Additional inventors are being named on the 3 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



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PTO/SB/02A (3-97)
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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>1</u> of <u>3</u>
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
✓ Darren Mark				Platt				
Inventor's Signature					Date		5/15/00	
Residence: City		San Francisco	State	CA	Country	US	Citizenship	
Post Office Address		929 Pine Street, Apt. 201						
Post Office Address								
City		San Francisco	State	CA	ZIP	94108	Country	US
City		San Francisco	State	CA	ZIP	94108	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
✓ Michael Martin				Ollman				
Inventor's Signature					Date		5/19/00	
Residence: City		Menlo Park	State	CA	Country	US	Citizenship	US
Post Office Address		1805 Aischul ^{Aitschul} Avenue MO						
Post Office Address								
City		Menlo Park	State	CA	ZIP	94025	Country	US
City		Menlo Park	State	CA	ZIP	94025	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
✓ Lynn Marie				Young				
Inventor's Signature					Date		4/19/00	
Residence: City		Redwood City	State	CA	Country	US	Citizenship	US
Post Office Address		1313 Harrison Avenue						
Post Office Address								
City		Redwood City	State	CA	ZIP	94062	Country	US
City		Redwood City	State	CA	ZIP	94062	Country	US

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>2</u> of <u>3</u>
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Madelyn Robin				Demskey			
Inventor's Signature	<i>Maddy Demskey</i>					Date	5/16/00
Residence: City	San Francisco	State	CA	Country	US	Citizenship	US
Post Office Address	1770 Pine Street, #3203 1829 Virginia St. Berkeley CA 94703 (MD)						
Post Office Address							
City	San Francisco	State	CA	ZIP	94109	Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Kevin Patrick				Keegan			
Inventor's Signature	<i>K. P. Keegan</i>					Date	5-15-00
Residence: City	San Lorenzo	State	CA	Country	US	Citizenship	US
Post Office Address	17311 Via Estrella 1408 SAYRE ST						
Post Office Address							
City	SAN LEANDRO San Lorenzo	State	CA	ZIP	94579 94580	Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Lori				Friedman			
Inventor's Signature	<i>Lori Friedman</i>					Date	5/25/00
Residence: City	San Francisco	State	CA	Country	US	Citizenship	US
Post Office Address	One Bayside Village Place, Unit 212						
Post Office Address							
City	San Francisco	State	CA	ZIP	94107	Country	US

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>3</u> of <u>3</u>
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor													
Given Name (first and middle [if any])				Family Name or Surname											
Casey				Kopczynski											
Inventor's Signature						Date		5/15/00							
Residence: City		Belmont		State		CA		Country		US		Citizenship		US	
Post Office Address		2759 St. James Road CK													
Post Office Address															
City		Belmont		State		CA		ZIP		94002		Country		US	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor													
Given Name (first and middle [if any])				Family Name or Surname											
Jeffrey S.				Larson											
Inventor's Signature								Date		5/15/00					
Residence: City		Burlingame		State		CA		Country		US		Citizenship		US	
Post Office Address		1220 El Camino Real #305													
Post Office Address															
City		Burlingame		State		CA		ZIP		94010		Country		US	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor													
Given Name (first and middle [if any])				Family Name or Surname											
Stephanie A.				Robertson											
Inventor's Signature								Date		5/16/00					
Residence: City		San Francisco		State		CA		Country		US		Citizenship		US	
Post Office Address		255 Fowler Avenue													
Post Office Address															
City		San Francisco		State		CA		ZIP		94127		Country		US	

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PTO/SB/10 (1-99)
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Patent and Trademark Office, U.S. Department OF COMMERCE

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)

EX00-015

Applicant, Patentee, or Identifier: Exelixis, Inc.

Application or Patent No.: 09/524,101

Filed or Issued: Filed 13 March 2000

Title: Insect p53 Tumor Suppressor Genes and Proteins

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Exelixis, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 280 East Grand Avenue, South San Francisco, CA 94080

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

- Each person, concern, or organization having any rights in the invention is listed below
☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person/concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Glen Sato

TITLE OF PERSON IF OTHER THAN OWNER CFO and VP of Legal Affairs

ADDRESS OF PERSON SIGNING 260 Littlefield Avenue, South San Francisco, CA 94080

SIGNATURE

Glen Sato

DATE

7/3/00